

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

March 31, 2014

Mr. Daniel G. Churovich
(Address withheld)
Ripley, TN 38063

Re: **WARNING NOTICE**
Amateur Radio License N9RSY
EB-FIELDNER-14-00014749

Dear Mr. Churovich:

On Friday, March 28, 2014, you were heard by staff at the Commission's High Frequency Direction Finding (HFDF) Center communicating repeatedly on 14.313 MHz with an individual who you identify only as "cowboy." This individual failed to provide his call sign during your conversation, a fact that you were aware of as you repeatedly demanded that he provide his name, call sign and location. Despite being aware of the rule violation on the part of this other individual, you continued communicating with him for an extended period of time.¹

This incident constitutes unauthorized transmissions in violation of the Commission's rules. Your operation as described above is contrary to the basis and purpose of the amateur radio service as set out in Section 97.1 and is a violation of Section 97.111(a)(1) of the Commission's rules, which states in pertinent part "[a]n amateur station may transmit the following types of two-way communications: [t]ransmissions necessary to exchange messages with other stations in the amateur service . . .".² There is no evidence that the individual with whom you were communicating with on March 28th was an amateur radio operator as he failed to provide his call sign as required by Commission rules. Please be advised that the Commission expects you to abide by its rules. This letter serves as notice that, if operation of this type reoccurs after receipt of this letter, you could be subject to severe penalties, including license revocation, monetary forfeiture (fines),³ or a modification proceeding to restrict

¹ The Commission employee used direction finding equipment and confirmed the transmissions were coming from your location. The employee recorded the offending transmissions, and provided undersigned counsel with recordings of the incident in question. Should you desire a copy of the recording, one will be made available to you.

² See 47 C.F.R. §§ 97.1 and 111(a)(1).

³ Fines normally range from \$7,500 to \$10,000.

the frequencies upon which you may operate.

Sincerely,

Laura L. Smith, Esq.
Special Counsel
Enforcement Bureau

Cc: Atlanta Field Office
South Central Regional Director